REMARKS

Claim Rejections

Claims 1 and 3-4 are rejected under 35 U.S.C. § 102(b) as being anticipated by Liao (U.S. 6,416,005) . Claims 1 and 3-4 are rejected under 35 U.S.C. § 102(e) as being anticipated by Wei (U.S. 2004/00200920). Claim 2 is rejected under U.S.C. § 103(a) as being unpatentable over Liao or Wei and further in view of Foley (U.S. 5,762,281).

Drawings

It is noted that no Patent Drawing Review (Form PTO-948) was received with the outstanding Office Action. Thus, Applicant must assume that the drawings are acceptable as filed.

New Claims

By this Amendment, Applicant has canceled claims 1-4 and has added new claims 5-8 to this application. It is believed that the new claims specifically set forth each element of Applicant's invention in full compliance with 35 U.S.C. § 112, and define subject matter that is patentably distinguishable over the cited prior art, taken individually or in combination.

The new claims are directed toward a signal cable rewinder comprising: a housing including two housing members (1, 10); two rewinding discs (2, 20), each of the two rewinding discs has a plurality of fixing rings (22, 23), one of the two rewinding discs is located on an interior of each of the two housing members; two spiral springs (4, 40), each of the two springs has a first spring end and a second spring end, the first spring end of one of the two spiral springs is connected to each of the two housing members, the second spring end of one of the two spiral springs is connected to each of the two rewinding discs; and two signal cables (3, 30), each of the two signal cables has a middle portion and is folded at the middle portion forming a double-folded member (31), the middle portion of one of the two signal cables is wound around a plurality of grooves (221, 231) of the plurality of fixing rings of each of the two rewinding discs, one double-folded member is wound

around each of the two rewinding discs, wherein opposing ends of one of the two signal cables are simultaneously withdrawn from and retracted into each of the two housing members, the two signal cables are independently withdrawn from and retracted into the housing.

Other embodiments of the present invention include: two release buttons (14) and two compression springs (15), each of the two release buttons has a projection, each of the two rewinding discs has a plurality of indentations formed in an outer periphery thereof, each of the two housing members has a through hole (13), one of the two release buttons is inserted into each through hole, each of the two release buttons is movable between locked and depressed positions, wherein, when a selected button of the two release buttons is located in the locked position, one of the two compression springs pushed the selected button outwardly from the housing and one of the plurality of indentations engaging the projection, and, when the selected button of the two release buttons is located in the depressed position, the selected button is pressed inwardly toward an interior of the housing compressing one of the two compression springs, and the plurality of indentations are separated from the projection; and a central partition (5) located in the interior of the housing separating a first rewinding disc of the two rewinding discs and a first cable of the two signal cables from a second rewinding disc of the two rewinding discs and a second cable of the two signal cables.

The primary reference to Liao teaches a box body (1) connected between a first casing (21) and a second casing (22), and a communication cable (3). A first end (31) of the communication cable (3) withdrawn and retracted from a first side of the box body (1) and a second end (32) is withdrawn and retracted from a second side of the box body (1). There is no suggestion of two cables being with drawn independently in Liao, as is the objective of the present invention.

Liao does not teach each of the two signal cables is folded at the middle portion forming a double-folded member; the middle portion of one of the two signal cables is wound around a plurality of grooves of the plurality of fixing rings of each of the two rewinding discs; one double-folded member is wound around each of the two rewinding discs; opposing ends of one of the two signal cables are simultaneously withdrawn from and retracted into each of the two housing members;

nor does Liao teach the two signal cables are independently withdrawn from and retracted into the housing.

It is axiomatic in U.S. patent law that, in order for a reference to anticipate a claimed structure, it must clearly disclose each and every feature of the claimed structure. Applicant submits that it is abundantly clear, as discussed above, that Liao does not disclose each and every feature of Applicant's new claims and, therefore, could not possibly anticipate these claims under 35 U.S.C. § 102. Absent a specific showing of these features, Liao cannot be said to anticipate any of Applicant's new claims under 35 U.S.C. § 102.

The second primary reference to Wei teaches a two wheel bodies (10, 20), each fo the two wheel bodies having a large turning wheel (12, 22) and a small turning wheel (15, 25), and a wire (50). A first portion of the wire is wound around the large turning wheel (12, 22) and a second portion of the wire is wound around the small turning wheel (15, 25).

Wei does not teach each of the two signal cables is folded at the middle portion forming a double-folded member; the middle portion of one of the two signal cables is wound around a plurality of grooves of the plurality of fixing rings of each of the two rewinding discs; one double-folded member is wound around each of the two rewinding discs; nor does Wei teach opposing ends of one of the two signal cables are simultaneously withdrawn from and retracted into each of the two housing members.

It is axiomatic in U.S. patent law that, in order for a reference to anticipate a claimed structure, it must clearly disclose each and every feature of the claimed structure. Applicant submits that it is abundantly clear, as discussed above, that Wei does not disclose each and every feature of Applicant's new claims and, therefore, could not possibly anticipate these claims under 35 U.S.C. § 102. Absent a specific showing of these features, Wei cannot be said to anticipate any of Applicant's new claims under 35 U.S.C. § 102.

The secondary reference to Foley teaches a winder and is cited for teaching a spool (20) having a plurality of slots (30) selectively engaging a lever (64) biased by a spring 754). Foley teaches one end of a cable tied to an interior of a housing.

Foley does not teach each of the two signal cables is folded at the middle portion forming a double-folded member; the middle portion of one of the two signal cables is wound around a plurality of grooves of the plurality of fixing rings of each of the two rewinding discs; one double-folded member is wound around each of the two rewinding discs; opposing ends of one of the two signal cables are simultaneously withdrawn from and retracted into each of the two housing members; nor does Foley teach the two signal cables are independently withdrawn from and retracted into the housing.

Even if the teachings of Liao, Wei, and Foley were combined, as suggested by the Examiner, the resultant combination does not suggest: each of the two signal cables is folded at the middle portion forming a double-folded member; the middle portion of one of the two signal cables is wound around a plurality of grooves of the plurality of fixing rings of each of the two rewinding discs; one double-folded member is wound around each of the two rewinding discs; nor does the combination suggest opposing ends of one of the two signal cables are simultaneously withdrawn from and retracted into each of the two housing members.

It is a basic principle of U.S. patent law that it is improper to arbitrarily pick and choose prior art patents and combine selected portions of the selected patents on the basis of Applicant's disclosure to create a hypothetical combination which allegedly renders a claim obvious, unless there is some direction in the selected prior art patents to combine the selected teachings in a manner so as to negate the patentability of the claimed subject matter. This principle was enunciated over 40 years ago by the Court of Customs and Patent Appeals in In re Rothermel and Waddell, 125 USPQ 328 (CCPA 1960) wherein the court stated, at page 331:

> The examiner and the board in rejecting the appealed claims did so by what appears to us to be a piecemeal reconstruction of the prior art patents in the light of appellants' disclosure. ... It is easy now to attribute to this prior art the knowledge which was first made available by appellants and then to assume that it would have been obvious to one having the ordinary skill in the art to make these suggested reconstructions. While such a reconstruction of the art may be an alluring

> way to rationalize a rejection of the claims, it is not the type of rejection which the statute authorizes.

The same conclusion was later reached by the Court of Appeals for the Federal Circuit in Orthopedic Equipment Company Inc. v. United States, 217 USPQ 193 (Fed.Cir. 1983). In that decision, the court stated, at page 199:

> As has been previously explained, the available art shows each of the elements of the claims in suit. Armed with this information, would it then be non-obvious to this person of ordinary skill in the art to coordinate these elements in the same manner as the claims in suit? The difficulty which attaches to all honest attempts to answer this question can be attributed to the strong temptation to rely on hindsight while undertaking this evaluation. It is wrong to use the patent in suit as a guide through the maze of prior art references, combining the right references in the right way so as to achieve the result of the claims in suit. Monday morning quarterbacking is quite improper when resolving the question of non-obviousness in a court of law.

In In re Geiger, 2 USPQ2d, 1276 (Fed.Cir. 1987) the court stated, at page 1278:

> We agree with appellant that the PTO has failed to establish a *prima facie* case of obviousness. Obviousness cannot be established by combining the teachings of the prior art to produce the claimed invention, absent some teaching suggestion or incentive supporting the combination.

Applicant submits that there is not the slightest suggestion in either Liao, Wei, or Foley that their respective teachings may be combined as suggested by the Examiner. Case law is clear that, absent any such teaching or suggestion in the prior art, such a combination cannot be made under 35 U.S.C. § 103.

Neither Liao, Wei, nor Foley disclose, or suggest a modification of their specifically disclosed structures that would lead one having ordinary skill in the art to arrive at Applicant's claimed structure. Applicant hereby respectfully submits that no combination of the cited prior art renders obvious Applicant's new claims.

Summary

In view of the foregoing amendments and remarks, Applicant submits that this application is now in condition for allowance and such action is respectfully requested. Should any points remain in issue, which the Examiner feels could best be resolved by either a personal or a telephone interview, it is urged that Applicant's local attorney be contacted at the exchange listed below.

Respectfully submitted,

Date: February 3, 2006 By: _____

Bruce H. Troxell
Reg. No. 26,592

TROXELL LAW OFFICE PLLC
5205 Leesburg Pike, Suite 1404
Falls Church, Virginia 22041
Telephone: 703 575-2711
Telefax: 703 575-2707